

Additionally, as noted by the United States Magistrate Judge in his Recommendation, Curtis Lee Sheppard was sanctioned by the United States Court of Appeals for the Fifth Circuit in the amount of \$100.00 for repeatedly filing frivolous pleadings challenging his conviction and prison disciplinary actions. *See Sheppard v. Davis*, No. 17-11435 (5th Cir. Aug. 31, 2018). The Court of Appeals barred Sheppard from filing in the Fifth Circuit, or in any court subject to the Fifth Circuit's jurisdiction, any challenge to his conviction or disciplinary proceedings until the sanction is paid in

full, unless he first obtains leave from the court in which he seeks to file his pleadings. Review of the Fifth Circuit's docket sheet in *Sheppard v. Davis* reflects that the sanction has not been paid. And Sheppard did not obtain leave of court to file the instant action.

For the foregoing reasons, this action is **DISMISSED** without prejudice as successive and as barred by the sanction order entered by the Fifth Circuit in *Sheppard v. Davis*. Petitioner's Motion for Suspension of Operations (ECF No. 5) and Motion for Leave to File Texas Legislature 2013 Junk Science Law (ECF No. 6) are **DENIED** as **MOOT**.

SO ORDERED this **20th day of February, 2019**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE